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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

MÖCKEL, *et al.*

Appl. No.: 09/813,919

Filed: March 22, 2001

For: **Nucleotide Sequences Coding for the  
DAPC Gene and the Process for the  
Production of L-Lysine**

Art Unit: 1634

Examiner: EINSMANN, J.

Atty. Dkt. 21123/277862

July 12, 2002

**RESPONSE TO RESTRICTION REQUIREMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Responsive to the communication mailed June 24, 2002, Applicants elect, with traverse, to prosecute the claims of Group 1, directed to nucleic acids, vector and host cells. However, Applicants respectfully submit that the elected composition of matter claims 1-7, 15 and 18-21 should be examined concurrently with the process claims of Group II and the method claims of Group III. The Examiner will not be unduly burdened searching the art relevant to all of the pending claims, as each group of claims relates to, *inter alia*, the dapC gene.

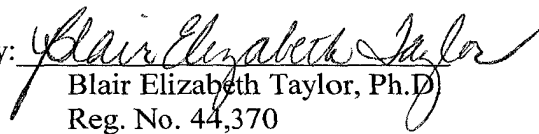
An early and favorable action on the merits is respectfully requested. Notification to that effect is earnestly solicited.

Should questions relating to patentability arise, the Examiner is invited to telephone the undersigned to discuss the same.

Respectfully submitted,

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